

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

STATE OF TEXAS, *et al.*,

Plaintiffs,

v.

BUREAU OF ALCOHOL, TOBACCO,
FIREARMS AND EXPLOSIVES, *et al.*,

Defendants.

Case No. 2:24-cv-00089-Z

**DEFENDANTS' UNOPPOSED MOTION FOR LEAVE TO EXCEED THE PAGE
LIMIT FOR THEIR COMBINED BRIEF IN SUPPORT OF CROSS-MOTION FOR
SUMMARY JUDGMENT AND IN OPPOSITION TO PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT**

Pursuant to the Court's Scheduling Order, ECF No. 79, on or before November 26, 2024, Defendants will file an opposition to Plaintiffs' Motion for Summary Judgment, ECF No. 82, and a Cross-motion for Summary Judgment. Defendants intend to file a Combined Brief in Support of Defendants' Cross-motion for Summary Judgment and in Opposition to Plaintiffs' Motion for Summary Judgment ("Combined Brief"). Pursuant to LR 56.5(b), the default page limit for a principal brief in support of or in opposition to a motion for summary judgment is 50 pages. Defendants respectfully move for leave to submit a Combined Brief of up to 65 pages. A Combined Brief of up to 65 pages is necessary for Defendants to fully set forth their arguments on standing and the merits and respond fully to Plaintiffs' arguments. Although a 65-page brief is greater than the default page limits for a principal summary judgment brief, it is substantially less than the total number of pages to which Defendants would be entitled if they filed separate briefs in support of their Cross-Motion for Summary Judgment and in opposition to Plaintiffs' Motion for Summary Judgment. Plaintiffs' counsel have indicated that Plaintiffs do not oppose this motion. Because the Combined Brief is due

Tuesday, November 26, Defendants request a ruling on this motion in advance of that date. For the foregoing reasons, the Court should grant this motion and enter an order giving Defendants leave to submit a Combined Brief in Support of Defendants' Cross-motion for Summary Judgment and in Opposition to Plaintiffs' Motion for Summary Judgment of up to 65 pages.

DATED: November 15, 2024

Respectfully submitted,

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Principal Deputy Assistant Attorney General

BRIGHAM J. BOWEN
Assistant Director, Federal Programs Branch

/s/ Jeremy S.B. Newman
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CERTIFICATE OF SERVICE

On November 15, 2024, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Jeremy S.B. Newman

CERTIFICATE OF CONFERENCE

On November 14 and 15, 2024, I conferred with Plaintiffs' counsel Garrett Greene, Kathleen Hunker, and Stephen Stamboulieh by email. Plaintiffs' counsel indicated that Plaintiffs do not oppose this motion.

/s/ Jeremy S.B. Newman